

CHOCOLATE

18812. Adulteration of chocolate coating. U. S. v. 311 Boxes * * *. (F. D. C. No. 32672. Sample No. 20909-L.)

LIBEL FILED: February 18, 1952, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 15, 1951, from Hershey, Pa.

PRODUCT: Chocolate coating. 311 boxes containing 16,400 pounds of the product at New Orleans, La. The product was subjected to fire while en route to New Orleans.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its objectionable flavor and odor.

DISPOSITION: March 5, 1952. The Automobile Insurance Co. of Hartford, Conn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the fit portion and destruction of the remainder, under the supervision of the Food and Drug Administration. 2,950 pounds of the product were destroyed.

SIRUP AND SUGAR

18813. Adulteration and misbranding of sorghum sirup and cane sirup. U. S. v. 30 Cans, etc. (F. D. C. No. 32380. Sample Nos. 34202-L, 34203-L.)

LIBEL FILED: January 2, 1952, Western District of Tennessee.

ALLEGED SHIPMENT: On or about November 11, 1951, by Leroy Morehead, from Route 1, Conehatta, Miss.

PRODUCT: 30 1-gallon cans and 1,665 ½-gallon cans of sorghum sirup and 321 ½-gallon cans of cane sirup at Memphis, Tenn.

NATURE OF CHARGE: Sorghum sirup. Adulteration, Section 402 (b) (2), a mixture of sorghum, corn sirup, and sugar had been substituted for sorghum; and, Section 402 (b) (4), corn sirup and sugar had been added to the product and mixed and packed with it so as to increase its bulk and weight. Misbranding, Section 403 (b), the product was offered for sale under the name of another food, namely, pure sorghum.

Cane sirup. Adulteration, Section 402 (b) (2), a mixture of cane sirup and corn sirup had been substituted for cane sirup; and, Section 402 (b) (4), corn sirup had been added to the product and mixed and packed with it so as to increase its bulk and weight. Misbranding, Section 403 (b), the product was offered for sale under the name of another food, namely, pure ribbon cane sirup.

Sorghum sirup and cane sirup. Misbranding, Sections 403 (e) (1) and (2), the products failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), the products were fabricated from two or more ingredients, and their labels failed to bear the common or usual name of each such ingredient.

DISPOSITION: June 2, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be relabeled, under the supervision of the Federal Security Agency.

18814. Adulteration and misbranding of sorghum sirup. U. S. v. 15 Cans, etc. (F. D. C. No. 32476. Sample No. 32613-L.)

LIBEL FILED: February 4, 1952, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about January 9, 1952, by John Lansaw, from Joplin, Mo.

PRODUCT: Sorghum sirup. 15 1-gallon cans and 119 ½-gallon cans at Centralia, Ill.

LABEL, IN PART: "Pure Hancock County Sorghum E. D. Brown Rt. 2 Patesville, Ky."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sugar sirup, glucose, and sorghum had been substituted in whole or in part for pure sorghum.

Misbranding, Section 403 (a), the label designation "Pure * * * Sorghum" was false and misleading since the product was a mixture of sugar sirup, glucose, and sorghum; and, Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, since the product was not manufactured, packed, or distributed by E. D. Brown, Route 2, Patesville, Ky., and some of the cans failed to bear an accurate statement of the quantity of the contents since they bore no statement of the quantity of the contents; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: May 15, 1952. S. E. Boles, trading as S. E. Boles Fruit Market, Centralia, Ill., having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be relabeled by the claimant, under the supervision of the Food and Drug Administration.

18815. Adulteration of sugar. U. S. v. 4,290 Bags, etc. (F. D. C. No. 32635. Sample Nos. 3430-L, 3829-L, 3830-L.)

LIBEL FILED: January 29, 1952, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 15, 1952, from Baltimore, Md.

PRODUCT: 5,130 100-pound bags of sugar at Hershey, Pa., in possession of the Hershey Chocolate Corp.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 21, 1952. The Hershey Chocolate Corp., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and re-refining of the unfit portion, under the supervision of the Food and Drug Administration. 4,787 bags of the product were re-refined.

MISCELLANEOUS SACCHARINE PRODUCT

18816. Misbranding of honey. U. S. v. 24 Jars, etc. (F. D. C. No. 32449. Sample Nos. 6332-L to 6337-L, incl.)

LIBEL FILED: January 23, 1952, District of Massachusetts.

ALLEGED SHIPMENT: On or about November 8 and December 18, 1951, and January 5, 1952, by Charles Mraz, from Middlebury, Vt.

PRODUCT: 48 1-pound jars, 12 5-pound jars, 96 2½-ounce packages, 258 12-ounce packages, and 690 14-ounce packages of honey at Lowell, Mass., together with approximately 302 leaflets entitled "The Use of Honey" which had been